

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, March 23, 2009 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 03-19-09

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President Jay Lambert

JoAnne Arruda-Vice President Cecil E. Leonard

Hannibal Costa Edward Roderick

Louise Durfee

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes from March 9, 2009 Regular Council Meeting

b. Approval of Executive Session Minutes from March 9, 2009 Council Meeting

c. Approval of Executive Session Minutes Special Meeting March 6, 2009

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Cemetery Commission d. Harbor Commission

b. School Committee (2) e. Historical Cemeteries Commission

c. Planning Board (2) f. Library Board of Trustees

(C.A.) 3. Correspondence – Receive and File

a. Received From Stone Bridge Fire District Regarding Opposition to Use of North

Tiverton “Contaminated Soil” in Construction of New Sakonnet River Bridge

b. Received From Tiverton School Department Regarding Request for Financial

Assistance to Offset Possible Reductions in State Aid

c. Received From Nationalgrid Regarding Abandonment of Portion of Kennedy,

Presidential, Eisenhower and Cornell Road and Electric Company Easement –

Referred to Christopher Spencer, Town Planner

d. Received From Budget Committee Regarding Financial Town Meeting

(C.A.) 4. Distribution of Treasurer's Monthly Budget and Revenue Reports for February

(C.A.) 5. Ratification of Appendix for AFSCME Council 94 Contract 7/1/08 to 6/30/2011

(C.A.) 6. Distribution of Revised Budget and Revenue Projections for FY 2009-2010

(C.A.) 7. Richard Sherman, Edwards Angell Palmer & Dodge Representing Tiverton Power,

Inc. Regarding Request for Amendment to Zoning Map Referred to Planning Board

B – FINANCIAL BUSINESS:

1. Honorable Representative John Loughlin III and Ms. Beverly Najarian – Update Regarding Governor's Proposed Budget and Stimulus Proposals

2. Town Administrator/Chief Lloyd – Request Transfer of Funds

a. \$982.80 from Acct#331-168 (Clothing Allowance)

b. \$3,000 from Acct#331-109 (EMS Incentive)

c. \$5,000 from Acct#331-101 (Firefighter Salary)

Transfer to Acct#331-102 (Overtime)

3. Town Administrator –Request Transfer of Funds \$5,000 from Acct #112-101 (Town Administrator Personnel Services) to Acct#105-359 (Litigation)

4. Town Administrator –Request Release of Carry Forward Funds \$40,000 from Acct #098-944 (Town Wide Fire Code Upgrade) and Transfer to Acct#112-999 (State Aid Reduction)

5. Town Administrator – Release of T.I.F. Area Bond Retainage to Starwood LLC

a. Memorandum John Lincourt, Superintendent and Leroy Kendricks, Chairman of Wastewater Management Commission

6. Town Administrator – Distribution of State Aid Reduction Status Based on Governor's FY 09 Supplemental Budget

7. Tax Assessor – Request Approval of Committee to Review and Recommend Possible Adjustments to Property Tax Exemptions

C - BOARD OF LICENSING COMMISSIONERS -NON ADVERTISED

1. Manuel F. Silva d/b/a Winnisimet Seafood, 115 Stafford Road – Requests Approval of Victualling License – Subject to Meeting All Legal Requirements

a. Response From Fire Prevention Office and Building/Zoning Official

D - APPOINTMENTS & RESIGNATIONS:

1. Town Solicitor – Clarification of Appointment Process for May FTM Town Moderator

E - UNFINISHED BUSINESS:

- 1. Gayle Lawrence – Brief Discussion for “Kick-off” of Tiverton Cleanup Week**
- 2. Honorable Representative John Edwards – Request Resolution of Council Supporting Change of Name for New Sakonnet River Bridge to Veteran’s Memorial Sakonnet River Bridge.**
- 3. Cheri F. Olf and Claudia Linhares, President Tiverton Little League – Request Permission To Allow Sponsorship Signage at Three Town Farm Ball Fields – Follow-up From March 9th Meeting**
 - a. Recreation Committee Recommendation**

F – PUBLIC HEARING – ADVERTISED

G - NEW BUSINESS:

- 1. Garry Plunkett – Memorandum of Agreement for an East Bay Energy Consortium Grant Application to Fund Feasibility Study for Developing a Regional Municipal Wind Power System**
- 2. David Robert, Tax Assessor – Brief Update to Town Council on 2008 Statistical Revaluation**
- 3. Chief Blakey – Request Permission to Advertise to Auction Surplus/seized Vehicles & Items**
- 4. Councilors Lambert and Roderick – Discussion of Possible Continuance of May 9th Financial Town Meeting**
- 5. Councilor Durfee – Consider Seeking Legislative Authorization to Change the Date of the FTM Until After the Legislature Adjourns**

H – BIDS AND REQUESTS FOR PROPOSALS

- 1. Town Adm. – Permission to Send RFI for Bulgarmarsh Road Skate Board Park**

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

- 1. Councilors Roderick and Lambert – Updating F/Y 2009/10 Budget**

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

- 1. Memorandum Regarding Town Charter Effective Date**
- 2. Filing by Massachusetts Facility Siting Board Commenting to FERC on Revised**

Weaver's Cove Plan

- 3. Memorandum to DPW Director Berlucchi Regarding Phase II Storm Water**

Compliance-Ordinance/Regulations

5. CLOSED EXECUTIVE SESSION

- 1. Town Administrator – 42-46-5(a)(2) – Collective Bargaining AFSCME and IAFF**
- 2. Town Solicitor - Litigation – 42-46-5(a) (2)**

A portion of this meeting may be held in executive session pursuant

to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”